

RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time	DSD Assigned RID #
Customer RID	<input checked="" type="checkbox"/>	24 hours	?
Internal Staff RID	?	10 working days	<input checked="" type="checkbox"/>
		As time available	?

1. Project Name: NA

2. Project Number: NA

(Plat #, Zoning Case #, etc.)

3. Project Street Address: NA

(If not available nearest intersection of two public streets)

4. Applicant Name: Jeff Tondre, P.E.

5. Applicant Address: Vickrey & Associates, Inc.

6. Applicant Telephone #: (210) 349-3271

7. Applicant e-mail Address: www.vickreynet.com

8. Rule in Question:

(Section and/or policy of UDC, Building Code, Master Plan, etc)

The rule in question is the definition of a minor subdivision by Appendix "A" of the UDC which reads as follows:

Minor subdivision

A subdivision involving four (4) or fewer lots fronting on an existing street that does not involve (i) the creation of any new streets, alleys or safety lanes; (ii) the extension of off-site utilities; or (iii) the installation of drainage improvements.

Question on why a plat with no public improvements would be classed as a major plat.

9. Applicant's Position:

(Including date position presented and name of city staff point of contact)

Date: July 14, 2004

Contact: Jeff Tondre

Contact Telephone #: (210) 349-3271

The applicant on a previously submitted plat felt that the project fit the above criteria but yet it was determined by staff to be a "major" not a "minor" plat.

10. Staff Finding:

(Including date of finding and name of city staff person formulating finding)

After submission of the plat documents under the above definition of a minor subdivision it became known to the reviewing staff that the private bridge did not span the entire flood plain but in fact fell within the boundaries of an easement granted the City for drainage purposes. Portions of the easement were within the 100-year flood plain. As such the plat automatically fell under storm water regulations and also the jurisdiction of the Public Works Department Director who serves as the City Flood Plain Administrator. The fact that it lay within an easement and a floodplain lifted the plat from a “minor” classification to a “major” classification.

Date: July 14, 2004 **Contact:** Bob Opitz **Contact Telephone #:** (210) 207-7587

11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

Staff review supports the findings by Mr. Opitz.

Date: July 14, 2004 **Contact:** Bob Opitz **Contact Telephone #:** (210) 207-7587

12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director of Development Services)

Date of policy/action: August 2, 2004 **Effective Date of policy/action:** same

Review of the staff’s position and the plat in question support the classification as a major plat. This interpretation has been the City’s standard operating procedure for a number of years. As such it shall remain the policy of the Department to continue to class plats with improvements, public or private that occur within a 100-year flood plain or city easement as major plats.

Florencio Peña III, Director
Development Services Department